

Guidelines for Grant Implementation:

Community Based Transportation Planning & Environmental Justice Grant
Programs, Fiscal Year 2001-02



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Introduction:

These *Guidelines for Grant Implementation* are designed to help approved grantees and Caltrans District staff for Fiscal Year (FY) 2001-2002 State of California, Department of Transportation (Caltrans) Community Based Transportation Planning (CBTP) and Environmental Justice (EJ) Transportation Planning Grants.

Roles And Responsibilities:

Headquarters Division of Transportation Planning Staff

Role: Grant Program Administrator (set policy for grant program)

Responsibilities:

- Manage overall program budget and resources
- Promote the program, and advocate for more available funding
- Establish and refine program purpose, guidelines and criteria
- Establish and refine application process
- Coordinate selection of grant awards
- Conduct statewide outreach and marketing efforts
- Liaison and program advocate to management
- Advise district staff of program goals, requirements and process
- Prepare quarterly and final reports for Caltrans management, the Business Transportation and Housing Agency, and others as needed.

District Transportation Planning Staff

Role: District Contract Manager

Responsibilities:

- Maintain relationships with diverse communities and organizations
- Conduct additional outreach and marketing within district boundary
- Assist prospective grantees through the application process
- Assist grantees with project implementation
- Coordinate information exchange between grantee and Headquarters
- Provide recommendations and other input to the grant selection process
- Act as District Contract Manager. Monitor contract and subcontracting, verify and provide feedback to contractors/subcontractors on deliverables (review reports, attend project meetings and public participation events), process invoices, provide quarterly reports to Headquarters, help keep project on schedule
- Participate and add value to the project as it proceeds
- Continue to be an advocate for implementation of project recommendations, especially as implementation may require further Caltrans effort and involvement

Grantee*

Role: Project Manager and Advocate

Responsibilities:

- Identify and take actions that support projects that support program goals, and establish working partnerships

* "Grantee" refers to the grant applicant who submitted the approved grant application. The grantee is the party who will enter into a contract directly with Caltrans. "Co-applicant" refers to the grant co-applicant(s) as indicated on the approved grant application. Co-applicants may enter into a subcontract directly with the grantee.

Grantee (cont.)

- Work with district staff to prepare and submit competitive grant applications
- After receiving formal notification of funding, work with district staff to refine scope of work, timeline, budget and other necessary documents as needed to complete contracting and subcontracting requirements
- Execute a contract with Caltrans and implement the project per the scope of work, timeline and budget
- Submit quarterly reports, invoices, interim products, reports and plans to Caltrans
- Continue working with district staff and other parties as project proceeds
- Work to keep all parties informed and involved throughout the project
- Complete final products/reports/plans and distribute to Caltrans and all parties involved in/impacted by project
- Continue to be an advocate for implementation of project recommendations after the planning project is completed

Contracts:

These grants are funded with State Highway Account dollars. Each project will have an individual contract. Caltrans will be contracting with Counties, Cities, Regional Transportation Planning Agencies (RTPAs), or Metropolitan Planning Organizations (MPOs) as the grantee. The contract documents used for these grants include the Caltrans Service Contract Request (Form 360 – internal to Caltrans only) and a Fund Transfer Agreement (FTA) for Regional Transportation Planning Agencies (RTPAs), Metropolitan Planning Organizations (MPOs), Counties and Cities. The District Contract Manager will act as a liaison with the grantee to monitor the grantees' performance and final payment for services completed, etc.

- The Form 360 is completed by the District Contract Manager using information submitted by the grantee. Each Form 360 must contain a detailed scope of work, budget and schedule. The Form 360 is submitted to the Division of Transportation Planning's (DOTP's) Contract Liaison (Amanda Patti-Fox) who reviews the form for completeness and accuracy, and obtains the signature of DOTP's Budget Manager (Val Hansra) to certify that funds are available. Then the document is further reviewed and processed by the Caltrans Division of Procurement and Contracts (DPAC).
- Within 10 days of DPAC's receipt of the Form 360, from Caltrans Headquarters, DPAC sends the District Contract Manager a receipt indicating the contract number and the Caltrans (DPAC) Contract Writer. As necessary, the District Contract Manager will provide the Contract Writer with any minor revisions or updates to the scope of work, budget and schedule that may have occurred due to the delay in funding approval. District Contract Managers work with the assigned Caltrans Contract Writer to process FTAs. **FTAs must have a June 2002 start date.**
- Note: the District Contract Manager may not sign contracts; only individuals who have delegated authority from Caltrans DPAC can perform this function.

The grantee is not authorized to commence work or to incur reimbursable costs until the FTA is executed by the grantee and Caltrans. Grantees should not begin work on projects until notified by the Caltrans District Contract Manager.

- **Local Resolution Requirements:** In order to execute a contract (FTA) with a County or a City, a Local Resolution authorizing the County or City to enter into the FTA is required. For contracts with RTPAs or MPOs, a copy of a blanket resolution approving the Overall Work Plan (OWP) is sufficient if it contains language that authorizes the execution of subsequent agreements or contracts to implement the projects identified in the OWP. In lieu of such language, a copy of a specific resolution that amends the OWP to include the project is necessary.

Local Resolutions must include language that authorizes the specific person or persons from the County or City that will execute the FTA for the project, and should cite the timeframe of the project, the contract number and project title. Two options are possible:

1. A grant-specific Local Resolution that provides authorization for entering into the grant-specific FTA; or
2. A blanket Local Resolution that includes suggested language as follows –

“The (County/City of _____) authorizes the (County/City Administrator, County/City Manager, Assistant County/City Manager, Public Works Director, and/or Assistant Public Works Director, etc.), to execute all Fund Transfer Agreements, Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, and any amendments thereto with the California Department of Transportation.”

Blanket Local Resolutions are encouraged by Caltrans to expedite transfer of funds.

- **OWP Requirements:** If the grantee is an RTPA or MPO, the project must be an amended work element item. If the grantee is a County or City, the project should be included as an informational item in the appropriate RTPA or MPO OWP. OWP amendments and informational items should be provided for the 2002/03 fiscal year, and subsequent OWPs as necessary.
- Projects must be completed by June 30, 2004 because after this date, funding will no longer be available. No extensions will be granted beyond this date. The FTA expiration date is the last date that a grantee can incur project costs and is the date the agreement expires. Grantees have 60 days after the expiration date to make final payments to project contractors, prepare the Project Closeout Report, and submit the final invoice to Caltrans for reimbursement.

Invoicing:

An invoice is a written demand for payment for goods and/or services rendered. The invoice format varies, but at a minimum should contain the grantee name and remittance address, a description/itemization of goods or services, dollar amount of goods or services, invoice date and

number, and the contract (FTA) number. Payment to the grantee is made only after the work or service is performed.

The Prompt Payment Act, under Government Code 927, requires Caltrans to process and issue a warrant to a grantee within forty-five (45) calendar days upon receipt of an undisputed invoice. Caltrans can dispute an invoice submitted by the grantee for “reasonable cause” within fifteen (15) working days from receipt of the invoice. To do so, the District Contract Manager must submit a completed Invoice Dispute Notification form (STD 209) to the grantee.

- Invoicing can be as frequently as monthly, and at least quarterly. Grantees must submit invoices to the District Contract Manager in triplicate and should provide the contract/FTA number next to the grantee’s name. District Contract Managers should ensure that received invoices are time and date stamped.
- Grantees are encouraged to pay subcontractors in a timely manner and must pay subcontractors prior to requesting any reimbursement from Caltrans.
- Grantees should obtain and submit invoices from subcontractors typically showing task, task budget, percentage complete, prior billing if any, current billing, and total billed. The District Contract Manager completes a Receiving Record (form FA1226A), along with copies of the invoice and any grantee/subcontract supporting documents when submitting invoices to Caltrans Accounts Payable for payment. Project supporting documentation should be consistent with invoicing frequency. Percentage of project completion should coincide with reimbursement to grantee.
- Local contribution (match) must be provided on a proportional basis coinciding with invoicing frequency. CBTP match requirement is 20%, EJ is 10%.

Audits:

A pre-award audit is required for grant awards of \$250,000 or higher, and must occur prior to contract execution. The purpose of the pre-award audit is to determine if the grantee’s accounting system is adequate to accumulate and segregate costs and to determine if the proposed costs are reasonable. The pre-award audit alerts both the grantee and Caltrans as to possible problems relative to the grantee’s cost proposal and cost accounting system. However, post-award audits will be conducted for FY 2001/02 grants in lieu of pre-award audits.

- The grantee must agree to maintain grant records involved with the performance of a FTA and to make those records reasonably available for audit. A prime or a subcontractor, performing under a negotiated contract with Caltrans, are subject to the following audit reviews:
- Interim audits are preformed on an “if-needed” basis. For example, during the pre-award audit, if it is found that the grantee’s accounting system is new or if minor deficiencies are noted, an interim audit would then be scheduled. The interim audit’s purpose is to determine that the system is functioning adequately, and to ensure that billed costs are supported and that any deficiencies are corrected. The District Contract Manager may

also request an interim audit if there are concerns to be addressed during the course of the contract. Lastly, an Audit Manager may initiate an interim audit of a long duration contract to ensure that costs reimbursed to date are allowable.

- Post audits are performed routinely after project completion to determine whether the costs claimed are allowable, allocable, reasonable, and in compliance with the Federal and State laws and regulations.

Reporting Requirements:

Quarterly reporting is required for all grants. The District Contract Manager will work with the grantee to gather information and then forward this in a report format on a quarterly basis (by the tenth day of the succeeding month for each quarter) to the appropriate Headquarters staff member.

Information required on a quarterly basis:

- Project status/General Comments (including progress, problems encountered...)
- Identification of Community Based Organizations (not for profit) involved in the project
- Discussion/Evaluation of Public Participation Efforts
- Dollars Expended

Project Completion:

Grantee will provide any interim, or draft reports to the District as they are developed. Grantee will provide five copies of final report and one electronic version to the appropriate District. Grantee's commit to pursuing the project recommendations including subsequent planning activities and to pursue the overall project to the extent possible. Caltrans will also assist with subsequent planning activities and project implementation.

Questions And Answers From Teleconference Training:

On June 10th, 11th and 12th, of 2002, the Caltrans Office of Community Planning and Office of Policy Analysis and Research provided grant implementation training for successful Community Based Transportation Planning and Environmental Justice FY 2001/02 grantees, co-applicants and Caltrans District staff. This training provided information on how grantees will receive these grant funds and also the roles and responsibilities of grantee agencies and Caltrans in administering these grants. The following is a summary of some questions asked during the teleconferences, and answers from Caltrans.

Contracts/Invoicing:

1. Will the grant contract include a project schedule, scope of work and budget?

Response: Yes, the contract between Caltrans and the grantee will include the project schedule, scope of work and budget. All three items should be updated to reflect any approved changes in the project or timeline due to delayed release of grant funds. Schedules should be revised to require less than 24 months for completion of project as funds expire by June 30, 2004.

2. *What happens to these funds and grantee invoicing schedules if the state budget is not signed by July 1st?*

Response: Possible delayed approval of the FY02/03 state budget will **not** have an impact on these FY 01/02 grant funds. Once funds are encumbered and a FTA is signed, grantees can begin work and submit invoices with no regard to the state budget delays.

3. *When is the last day for reimbursable work for these FY01/02 grants?*

Response: June 30, 2004.

4. *Can grantees/co-applicants begin spending their match before the contract is signed?*

Response: No, reimbursement of credits for local matching funds will be made or allowed only for work performed **after the start date** and prior to the termination date of the agreement (FTA). Invoicing must demonstrate that match (funds or in-kind) is provided on a proportional monthly or quarterly basis, coinciding with invoicing frequency.

5. *Is there a maximum percentage of grant funding that can go to a subcontractor?*

Response: No, there is not a maximum percentage of grant funding that can be paid to a subcontractor.

6. *Can a co-applicant submit an invoice directly to Caltrans?*

Response: No, co-applicant invoices must be submitted to and paid by the grantee.

7. *Is it possible for Caltrans to pay the grantee before the grantee pays the co-applicant?*

Response: Contractors must pay their subcontractors before submitting an invoice to the state.

8. *When submitting an invoice, is the grantee required to forward all invoices from their co-applicants?*

Response: Co-applicant invoices do not need to be forwarded to Caltrans unless specifically requested.

9. *Can many different tasks be included in one invoice?*

Response: Yes.

10. *What expenditures are allowable? Are refreshments an allowable cost?*

Response: Grantees will be reimbursed for actual costs including labor costs, employee benefits, travel, overhead and other direct costs incurred in performance of the work. As these are planning projects, funds cannot be expended on capital or construction, equipment purchase including vehicle rentals or purchases, or operating subsidies. DOTP's policy allows for the provision of incentives such as light refreshments and meals if they are the only reasonable means to obtain necessary public participation to accomplish one or more of the objectives of the

grant project. These types of expenses should be pre-approved by the District Contract Manager. Further guidance is provided as follows:

The payment of an incentive in the form of cash and/or meal that in the judgment of the consultant is the only reasonable means to obtain the necessary public participation to accomplish one or more of the objectives of the contract would not appear to constitute a gift of public funds because the payment would be in furtherance of a valid public purpose. A contract amendment may be necessary to clearly define the purpose of the payment and to authorize such payments as a reimbursable expenditure under the contract, in addition to specifying the exact terms and conditions governing such payments. The District Contract Manager should require a full explanation from the consultant as to the reasons why a stipend is the only reasonable means of obtaining the necessary public participation, such as the consultant's experience in similar studies or unsuccessful attempts to obtain public participation using other methods.

11. What if additional funds are needed to complete the project?

Response: Additional funds are not available through these grant programs. Projects must follow the scope and budget as approved in the contract.

12. Please explain Disable Business Enterprise (DBE) goals in relation to these grants.

Response: There are no DBE goal requirements with these grants because we are using State Highway Account, not federal funding.

Subcontracting:

13. Is there a State boilerplate agreement for subcontracts?

Response: No there is not a boilerplate agreement for subcontracts. Each grantee will use their own agreement form that follows the appropriate state and federal requirements.

14. To contract with a co-applicant, does the grantee need to sole source, competitive bid, or use another process?

Response: If the co-applicant is a non-profit organization, and was noted as a co-applicant in the grant application, advertising requirements are not necessary.

15. What process does a co-applicant need to follow when contracting with a third party?

Response: Every sub-recipient receiving grant funds must comply with administrative procedures in accordance with 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.

16. If the grant is a continuation of an existing project, does the grantee need to competitively bid the work again?

Response: No, the grantee is not required to re-bid the project. However, before work begins on the grant portion of the project the grantee needs to write a letter to Caltrans stating that this is a continuing project and ask not to competitively bid that portion of the project.

17. Is the usual 10% withheld requirement for subcontractors?

Response: No, this is not a requirement for these grant programs.

18. Do grantees need to conduct pre-award audits for co-applicants?

Response: Yes, if the grant amount is equal or above the \$250,000 threshold, contractors, subcontractor or consultants performing under a negotiated contract with Caltrans, are subject to Caltrans audit reviews. Caltrans auditors can perform such audits at no cost to the grantee or co-applicant.

19. Do grantees need to follow competitive bidding requirements or complete a qualification-based election?

Response: See responses to number 14 and 15.

Local Resolutions:

20. Should Counties/Cities update their Local Resolutions to reflect the official approval of the grant projects? Does a new Local Resolution need to be presented for each fiscal year of the project?

Response: As discussed, an adopted Local Resolution should cite the timeframe of the project, provide the County or City with the authority to enter into a contract to complete the project, and in doing so, cite the contract number and project title. Local Resolutions that follow these instructions should not require a new version for each fiscal year of the project. Contact Debbie Bell of the Office of Community Planning for a sample copy of a local resolution.

21. Can a County or City adopt one local resolution for all the applicable awarded grants rather than individual resolutions?

Response: If the County or City allows this, it can be done. As discussed, Caltrans encourages blanket Local Resolutions.

Overall Work Program (OWP) Requirements:

22. Do OWP informational items need amendments if schedules or other information change?

Response: Yes, the individual Work Element of the OWP should be amended if changes occur to the project such as the completion date of a study is extended. The OWP is the document used to track progress of transportation planning activities in the region.

23. How is in-kind match to be reflected in the OWP?

In each work element, the sources need to be listed. Also, at the end of the OWP, in the Budget Revenue Summary, all the sources for all the work elements should be listed on one chart. If you permit in-kind services that could be shown that similarly.

Reporting:

24. Should the project schedule include time for Caltrans review/comment of draft reports?

Response: Budgeting time for Caltrans review of documents is strongly encouraged.

25. Is the co-applicant required to submit draft reports, quarterly reports and other documents to the grantee for review and approval before sending to Caltrans?

Response: If not already agreed upon before application approval, grantees and co-applicants should negotiate these steps in their contract. Caltrans needs to receive this information from the grantee.

FY02/03 Funds:

26. What is the anticipated timeline for the FY03/04 cycle?

Response: This is the current proposal for the FY03/04 grant package (we've tried to provide more time between due dates and minimize the interference of holidays):

1. Application package to be mailed: August 1st
2. Applications due to the districts: October 2nd
3. Applications due from districts to Headquarters: October 24th
4. Selection committees: November & December

CALIFORNIA DEPARTMENT OF TRANSPORTATION
DISTRICT PLANNING CONTACT LIST

<u>DISTRICT 1</u>	Contact	MPO/RTPA
1656 Union Street Eureka, CA 95501 (P.O. Box 3700) 95502	Environmental Justice Michelle Fell (707)-445-6333 FAX: (707)-441-5869 Community Based Transportation Planning Mike Eagan (707)-441-3937 FAX: (707)-441-5869	Del Norte LTC Humboldt COG Lake COG Mendocino COG
<u>DISTRICT 2</u>	Contact	MPO/RTPA
1657 Riverside Dr Redding, CA 96001 (P.O. Box 496073) 96049-6073	Environmental Justice Kathy Grah (530) 225-3236 FAX: (530) 225-3578 Community Based Transportation Planning Debbie Ginn (530)-225-4671 FAX: (530)-225-3578	Lassen LTC Tehama LTC Modoc LTC Trinity LTC Plumas LTC Siskiyou LTC Shasta LTC
<u>DISTRICT 3</u>	Contact	MPO/RTPA
703 B Street Marysville, CA 95901 (P.O. Box 911)	Environmental Justice and Community Based Transportation Planning Jeffrey Pulverman (916)-274-0638 FAX: (916)-274-0648 Bruce De Terra (530)-741-4025 FAX: (530)-741-5346	Butte CAG Sierra LTC Colusa LTC Glenn LTC El Dorado LTC Nevada LTC Placer LTC Sacramento Area COG TRPA - Tahoe Basin TMPO - Tahoe Metropolitan Planning Organization
<u>DISTRICT 4</u>	Contact	MPO/RTPA
111 Grand Avenue Oakland, CA 94612 (P.O. Box 23660) 94623-0660	Environmental Justice Surinder Sikand (510) 286-5472 FAX: (510) 286-5472 Community Based Transportation Planning Stephen Yokoi (510) 286-5621 FAX: (510)-286-5513	MTC

<u>DISTRICT 5</u>	Contact	MPO/RTPA
50 Higuera St. San Luis Obispo, CA 93401	Environmental Justice and Community Based Transportation Planning Tim Rochte (805)-549-3130 FAX: (805)-549-3077	Monterey LTC Santa Cruz LTC San Benito COG AMBAG Santa Barbara CAG San Luis Obispo COG
<u>DISTRICT 6</u>	Contact	MPO/RTPA
1352 W. Olive Dr. Fresno, CA 93728 (P.O. Box 12616) 93778	Environmental Justice and Community Based Transportation Planning Marc Birnbaum (559)-448-4260 FAX: (559)-448-4088 Joanne Striebich (559) 488-4347 FAX: (559) 488-4088	Fresno COG Tulare COG Kern COG Kings CAG Madera LTC
<u>DISTRICT 7</u>	Contact	MPO/RTPA
120 S. Spring Street Los Angeles, CA 90012-3606	Environmental Justice and Community Based Transportation Planning Paul Perez (213)-897-1731 FAX: (213)-897-1337	SCAG-
<u>DISTRICT 8</u>	Contact	MPO/RTPA
464 W. Fourth St. Sixth Floor San Bernardino, CA 92401	Environmental Justice Gary Green (909)-383-5926 FAX: (909)-383-5936 Community Based Transportation Planning Linda Grimes (909)-383-6327 FAX: 909-383-6890	SCAG
<u>DISTRICT 9</u>	Contact	MPO/RTPA
500 South Main St. Bishop, CA 93514	Environmental Justice and Community Based Transportation Planning Brad Mettam (760)-872-0689 FAX: (760)-872-0754	Inyo LTC Mono LTC

<u>DISTRICT 10</u>	Contact	MPO/RTPA
1976 East Charter Way Stockton, CA 95206 (P.O. Box 2048) 95201	Environmental Justice Carlos Yamzon (209)-948-3975 FAX: 209-948-7164 Community Based Transportation Planning Tom Dumas (209)-941-1921 FAX: (209)-948-7710	Alpine LTC Amador LTC Calaveras COG Mariposa LTC Merced CAG Tuolumne COG San Joaquin COG Stanislaus COG
<u>DISTRICT 11</u>	Contact	MPO/RTPA
2829 Juan Street San Diego, CA 92110 (P.O.Box 85406) 92186	Environmental Justice and Community Based Transportation Planning Mark Baza (619)-688-2505 FAX: (619)-688-2598	SANDAG
<u>DISTRICT 12</u>	Contact	MPO/RTPA
3347 Michelson Drive Suite 100 Irvine, CA 92612-0661	Environmental Justice Everett Evans (949)-223-5436 FAX: (949)-724-2256 Community Based Transportation Planning Bob Joseph (949)-724-2255 FAX: (949)-724-2592	OCTA